

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

CHRISTINE L. GUPTILL,

Plaintiff,

v.

5:08-CV-0077

**MICHAEL J. ASTRUE
COMMISSIONER OF SOCIAL SECURITY,**

Defendant.

APPEARANCES:

OF COUNSEL:

Fine, Olin Law Firm
716 Seventh North Street
Liverpool, NY 13066
Counsel for Plaintiff

Thomas P. Welch, Esq.

Social Security Administration
Office of Regional General Counsel
Region II
26 Federal Plaza - Room 3904
New York, NY 10278
Counsel for Defendant

Kristina D. Cohn, Esq.

NORMAN A. MORDUE, CHIEF U. S. DISTRICT JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge Victor E. Bianchini, duly filed on the 28th day of April 2010. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. The Commissioner's decision denying disability benefits is remanded for further proceedings in accordance with the Report-Recommendation and pursuant to sentence four of 42 U.S.C. Section 405(g).
3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: May 14, 2010
Syracuse, New York


Norman A. Mordue
Chief United States District Court Judge